



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: MARENICK, Michael et al.  
Serial No.: 10/039,793  
Filed: January 8, 2002  
Title: HYDROLIZED WHOLE EGG PRODUCTS & RELATED  
METHODS  
Examiner: San-ming Hui Art Unit: 1617  
Docket: P0022-US

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Hon. Commissioner of Patents  
Washington, DC 20231

Dear Sir:

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
PATENTING REJECTION**

The owner, L'Avenir, LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patents granted on pending second Application Number 10/260,344, filed on October 1, 2002. The owner hereby agrees that any patent granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application is commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

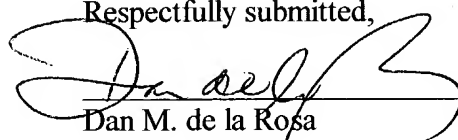
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent

jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled be a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Terminal disclaimer fee under 37 CFR 1.20(d) is included. The undersigned is the attorney of record.

Dated: March 4, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dan de la Rosa", written over a horizontal line.

Dan M. de la Rosa

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